

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TRINH GREEN,
Plaintiff,

v.

BMW OF NORTH AMERICA LLC, et al.,
Defendants.

Case No. 25-cv-03489-NC

**ORDER TO SHOW CAUSE AS
TO DEFENDANT'S
CITIZENSHIP AND VENUE**

Re: Dkt. Nos. 1, 3

On April 21, 2025, Defendant BMW of North America LLC filed a notice of removal for an action filed by Plaintiff Trinh Green in Alameda County Superior Court. ECF 1.

A defendant may remove a case from state court if the federal court would have had original subject matter jurisdiction over the matter, including based on diversity. 28 U.S.C. §§ 1441(a), (b). A notice of removal must contain a short and plain statement of the grounds for removal and basis for federal jurisdiction. 28 U.S.C. § 1446(a). Diversity jurisdiction requires that parties are citizens of different states and the amount in controversy exceeds \$75,000. 28 U.S.C. § 1332(a). For purposes of diversity jurisdiction, “a corporation is a citizen only of (1) the state where its principal place of business is located, and (2) the state in which it is incorporated.” *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899; 28 U.S.C. § 1332(c)(1). In contrast, “an LLC is a

citizen of every state of which its owners/members are citizens.” *Id.*

BMW NA asserts complete diversity exists among the parties. ECF 1 ¶¶ 10–14. BMW NA, an LLC, states that BMW (US) Holding Corp. is the LLC’s sole member. ECF 1 ¶ 12. However, BMW NA only provides BMW (US) Holding Corp.’s state of incorporation, and not its principal place of business. ECF 1 ¶ 12. As such, the Court cannot assess whether complete diversity exists. BMW NA is therefore ordered to show cause in writing as to BMW (US) Holding Corp.’s complete citizenship.

In addition, removal of an action by a defendant is “to the district court of the United States for the district and division embracing the place where such action is pending.” 28 U.S.C. § 1441(a). Under the Court’s Civil Local Rule 3-2(d), civil actions arising in Alameda County are to be assigned to the San Francisco or Oakland Division. The Court notes that this matter is removed from Alameda County Superior Court, BMW NA’s completed cover sheet indicates a divisional assignment of “San Francisco/Oakland,” ECF 3, and the underlying events giving rise to the claim appear to have occurred in Alameda County. *See* L.R. 3-2(c); ECF 1, Ex. A. BMW NA is therefore ordered to show cause as to whether there is any reason this matter should remain assigned to the San Jose Division of the Court.

BMW NA must file a response in writing addressing these concerns by May 1, 2025.

IT IS SO ORDERED.

Dated: April 24, 2025


 NATHANAEL M. COUSINS
 United States Magistrate Judge